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*Status:* This version of this cross heading contains provisions that are prospective.  
*Changes to legislation:* There are currently no known outstanding effects for the Charities Act (Northern Ireland) 2008, Cross Heading: Duties. (See end of Document for details)

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## SCHEDULES

PROSPECTIVE

### SCHEDULE 7

#### FURTHER PROVISION ABOUT CHARITABLE INCORPORATED ORGANISATIONS

##### *Duties*

**9** It is the duty of—

- (a) each member of a CIO, and
- (b) each charity trustee of a CIO,

to exercise powers, and (in the case of a charity trustee) to perform functions, in a capacity as such, in the way that member or trustee decides, in good faith, would be most likely to further the purposes of the CIO.

**10.**—(1) Subject to any provision of a CIO's constitution permitted by virtue of regulations made under sub-paragraph (2), each charity trustee of a CIO shall in the performance of functions in that capacity exercise such care and skill as is reasonable in the circumstances, having regard in particular—

- (a) to any special knowledge or experience that the trustee has or purports to have, and
- (b) if the trustee acts as a charity trustee in the course of a business or profession, to any special knowledge or experience that it is reasonable to expect of a person acting in the course of that kind of business or profession.

(2) The Department may make regulations permitting a CIO's constitution to provide that the duty in sub-paragraph (1) does not apply, or does not apply in so far as is specified in the constitution.

(3) Regulations under sub-paragraph (2) may provide for limits on the extent to which, or the cases in which, a CIO's constitution may disapply the duty in sub-paragraph (1).

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